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OFFICE OF PETITIONS

ATTN: BOX ISSUE FEE

Customer Number 22,852

PATENT

Attorney Docket No. 3063.0396-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John M. Eby et al.

Application No.: 09/287,631

Filed: April 7, 1999

For: METHODS TO MAKE A SURFACE
COVERING HAVING A NATURAL
APPEARANCE

Notice of Allowance Dated:

November 14, 2000

Batch No.: Z99

Group Art Unit: 1732

Examiner: A. Kuhns

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

**REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R. § 1.114**

This is a request that the above-identified application be processed according to the procedures set forth in 37 C.F.R. § 1.114. This request meets the criteria set forth in 37 C.F.R. § 1.114 since the application has an actual filing date of April 7, 1999, which is on or after June 8, 1995, and is accompanied by a submission of an Information Disclosure Statement, an Amendment and the filing fee of \$710.00 as set forth in § 1.17(e).

Applicants hereby request that the Information Disclosure Statement and Amendment filed concurrently herewith, be entered and considered by the Examiner.


Please grant any extensions of time required to enter this request and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Date: February 7, 2001

By:


Louis M. Troilo
Reg. No. 45,284

LAW OFFICES

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#26

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Examiner: A. Kuhns

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

REQUEST TO WITHDRAW APPLICATION FROM ISSUE

Pursuant to 37 C.F.R. § 1.313, Applicants respectfully petition, via HAND DELIVERY, that this application be withdrawn from issuance to permit consideration of an Information Disclosure Statement and Amendment that will be filed in a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114. The RCE, together with the Information Disclosure Statement and a Preliminary Amendment, are concurrently filed with this Request.

The \$130.00 petition fee under 37 C.F.R. § 1.17(i), as well as the \$710.00 Request for Continued Examination fee under 37 C.F.R. § 1.114 are enclosed. If any additional fees are necessary for the submission of this Request, please charge our Deposit Account No. 06-0916.

02/08/2001 LGIBBS

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130.00 OP

Respectfully submitted,

**FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.**

Date: February 7, 2001

By:

Louis M. Troilo

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INTERNET ADDRESS:

February 1, 2001

Anthony A. Hartmann
Finnegan, Henderson, Farabow, Garrett & Dunner LLP
1300 I Street, N.W.
Washington, DC 20005-3315

RE: Mannington Mills, Inc.'s U.S. Patent No. 6,114,008
Your Ref: 03063-0643-00000

Dear Mr. Hartmann:

This is in response to your letter of January 29, 2001 concerning the above identified matter.

We decline your request for permission to provide to the U.S. Patent and Trademark Office the documents we provided to you under cover of our letter dated January 9, 2001.

Very truly yours,

cc: Michael R. McGurk, Esq.

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January 29, 2001

VIA FEDEX

Mannington Mills, Inc.'s U.S. Patent No. 6,114,008
Our Reference: 03063.0643-00000

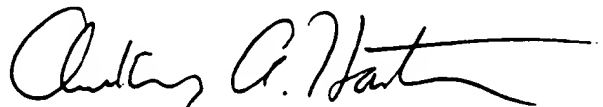
Dear :

We have examined the physical sample and documentation provided to us with your letter dated January 9, 2001.

You have marked all of the documents as "confidential." Because we are obligated to provide these documents to the United States Patent & Trademark Office for consideration in related applications, we request your written permission for this limited purpose.

We would appreciate your response by close of business on Monday, February 5, 2001.

Sincerely,



Anthony A. Hartmann

AAH/jab
cc: Michael R. McGurk, Esq.